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C O N F I D E N T I A L SECTION 01 OF 02 LAGOS 001937

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SUBJECT: SOUTHERN SNAPSHOTS - WEEK OF SEPTEMBER 8, 2003

REF: LAGOS 1862 AND PREVIOUS

Classified By: CONSUL GENERAL ROBYN HINSON-JONES FOR REASONS 1.5 (B) AN

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Anambra: Court proceedings begin on Igwe killings

1. (U) Almost exactly one year after the prominent husband and wife team of lawyers, Barnabas Chidi and Amaka Blessing Igwe, was hacked to death in the streets of Onitsha, a bail hearing was held in the Onitsha High Court for one of the prime suspects in the case. In an unusual move to get action on the case, the Nigerian Bar Association (NBA) successfully petitioned the Anambra State Attorney General and Justice Commissioner to allow the NBA to prosecute the case. Prince Ken Emeakayi, former Commissioner of Works in the administration of defeated Governor Chinwoke Mbadinuju, is the prime suspect in the case and has been detained, along with other suspects, for several weeks. While waiting for action in the case, the press and other observers have suggested a connection between the Igwe murder and the murder of former Attorney General and Minister for Justice Bola Ige. There has also been speculation that the murders were politically motivated since the prime suspects in both cases are government officials. The judge assigned the case, Justice Peter Umeadi, will rule on the application for bail this week.

2. (C) Comment. This past weekend, another husband and wife lawyer team was shot and killed in front of their young children in Kaduna. NBA President Wole Olanipekin blamed the federal government for the rising number of "mighty men including governors and ministers" who have been brutally attacked or killed in recent months. Lawyers in Lagos have told journalists that their profession is being "systematically targeted" by other members of the Nigerian government structure who "feel threatened by the (lawyers') presence and work." Nelson Otaji, a prominent Lagos lawyer, said "It is now very dangerous to be a lawyer in this country...When some people lose a case in court, they go after the opposing counsel." It is certain that Nigerians have little trust in the efficacy or integrity of their judicial system. It is difficult to tell, however, whether the recent violence and threats of violence against lawyers and judges is in any way politically motivated or is merely an expression of the frustration that some litigants feel with the system of justice in Nigeria. End comment.

Anambra: Deputy Governor is impeached

3. (U) Despite an Abuja High Court restraining order enjoining it from proceeding with the impeachment of Deputy Governor Okey Udeh, the Anambra State House of Assembly has impeached Udeh and removed him from office. The Assembly acted on the report of an Impeachment Panel it had set up to investigate allegations of misconduct leveled against Udeh. Udeh was accused of being part of the July 10 plot to forcibly remove Governor Chris Ngige from office and then wrongfully proclaiming himself Governor. Udeh had been successful in securing the court injunction stopping the Impeachment Panel from functioning. Unfortunately for him, the Panel ignored the court, found Udeh guilty on all charges and handed him over to the Assembly for impeachment anyway.

4. (C) Comment. Despite this good news for Ngige -- getting the Deputy Governor out of the way helps support Ngige's claim to be the legitimate principal officer of the State -- it is still too early to predict how the legal web that has been spun around the Ngige affair will be untangled, especially with the new snarls created by the Assembly's action. The Abuja High Court that issued the restraining order is scheduled to take up the matter again in the next week to consider the constitutionality of the "letter of

resignation" Ngige is supposed to have signed under pressure from his political "godfather", Chris Uba. Observers inside and outside the judicial system expect the High Court to deal sternly with the Anambra House of Assembly that flaunted its order. End comment.

Rivers: Another pipeline explosion in Ogoniland

15. (U) The residents of Tia, a small farming and fishing community, were devastated recently when an oil pipeline jointly owned by the Nigerian National Petroleum Corporation (NNPC) and Shell Petroleum Development Company of Nigeria, Ltd. (Shell) exploded burning acres of fertile land and polluting nearby creeks. The resulting spill of crude oil has displaced over 100 Tia families. Farmers in the area lost crops and near-term use of arable land; fishermen lost catches; and residents lost access to potable water because ground water in the area is now polluted with crude oil.

16. (C) Ledum Mitee, President of the Movement for the Survival of the Ogoni People (MOSOP), told Pol/Econ Officer that neighboring communities mobilized to help and were able to relocate some families. He complained that, based on previous incidents like this, the people of Tia could expect little in compensation from either the GON or Shell. According to Mitee, the GON relies on the Land Use Act of 1978 that gives the government all rights of title to the hereditary Ogoni lands. Thus, in the event of oil or gas damage to the land, the only compensation to which farmers are entitled is an amount equal to the value of lost crops -- historically a very small amount that does not fully compensate the farmer. Mitee said that while no one was injured in this latest incident, the financial and environmental losses are still being evaluated.

17. (C) Comment: Although Shell no longer drills in the area, it continues to transport crude oil through Ogoniland. Its decades old pipeline system is prone to leaks. Mitee has denied reports that the Ogoni prevented Shell workers from repairing the leak until Shell is willing to discuss compensation for the residents of Tia. Although the recently ended strike by Shell workers has further delayed repairs of the pipeline, this is but another incident to add to the long list of grievances about environmental damage, lack of disaster preparedness, minimal compensation for losses, etc. that the Ogonis have against Shell and the GON.
HINSON-JONES